

- 1. **JUDGMENT.** Plaintiff shall recover and Defendant shall pay to Plaintiff the sum of Twenty-Four Thousand Five Hundred Dollars (\$24,500.00) on Plaintiff's Complaint for Damages (ECF Dkt. 1, 1-1).
- 2. **PERMANENT INJUNCTION.** Pursuant to 15 *United States Code* ("*U.S.C.*") §1116, Defendant is hereby restrained and enjoined from engaging in, directly or indirectly, or authorizing or assisting any third party to engage in, any of the following activities in the United States and throughout the world:
- i. copying, manufacturing, importing, exporting, marketing, selling, offering for sale, distributing or dealing in any product or service that uses, or otherwise making any use of, any of Plaintiff's BEACHBODY®, P90X3®, FOCUS T25®, and/or INSANITY® trademarks and copyrights, and/or any intellectual property that is confusingly or substantially similar to, or that constitutes a colorable imitation of, any of Plaintiff's BEACHBODY®, P90X3®, FOCUS T25®, and/or INSANITY® trademarks and copyrights, whether such use is as, on, in or in connection with any trademark, service mark, trade name, logo, design, Internet use, website, domain name, metatags, advertising, promotions, solicitations, commercial exploitation, television, web-based or any other program, or any product or service, or otherwise;
- ii. performing or allowing others employed by or representing him, or under his control, to perform any act or thing which is likely to injure Plaintiff, any of Plaintiff's BEACHBODY®, P90X3®, FOCUS T25®, and/or INSANITY® trademarks and copyrights, and/or Plaintiff's business reputation or goodwill;
- iii. engaging in any acts of federal and/or state trademark and/or copyright infringement, false designation of origin, unfair competition, dilution, or other act which would tend damage or injure Plaintiff; and/or
- iv. using any Internet domain name or website that includes any of Plaintiff's Trademarks and Copyrights, including the BEACHBODY®, P90X3®, FOCUS T25®, and/or INSANITY® marks or works.

- 3. **FORFEITURE.** Defendant is ordered to deliver to Plaintiff immediately for destruction all counterfeit BEACHBODY®-branded P90X3®, FOCUS T25®, and/or INSANITY® exercise kits and DVDs in his possession or under his control to the extent that any of these items are in Defendant's possession or control.
- 4. **ENTRY AND SERVICE.** The Court finds there is no just reason for delay in entering this Permanent Injunction, and, pursuant to Rule 54(a) of the Federal Rules of Civil Procedure, the Court directs immediate entry of this Permanent Injunction against Defendant. This Permanent Injunction shall be deemed to have been served upon Defendant at the time of its execution by the Court.
- 5. **NO APPEALS AND CONTINUING JURISDICTION.** No appeals shall be taken from this Judgment, including Permanent Injunction, and the parties waive all rights to appeal. This Court expressly retains jurisdiction over this matter to enforce any violation of the terms of this Judgment and/or Permanent Injunction.
- 6. **NO FEES AND COSTS.** Each party shall bear its/his own attorneys' fees and costs incurred in this matter.
- 7. **TERMINATION OF ENTIRE ACTION.** The Court hereby terminates this action in its entirety while retaining jurisdiction to enforce any violation of the terms of this Judgment and/or Permanent Injunction.

IT IS SO ORDERED, ADJUDICATED and DECREED this 29th day of December, 2015.

HON. GEORGE H. WU United States District Judge Central District of California